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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Seychelles Organics Incorporated,

Plaintiff,

v.

John R Rose,

Defendant.

No. CV-11-01746-PHX-FJM

**ORDER**

Because she is handling supplemental proceedings under LRCiv 72.1(b), we referred defendants' motion for protective order (doc. 82) to Magistrate Judge Burns for resolution. We now have before us Judge Burns' Report and Recommendation (doc. 86), defendants' objections (doc. 87), and plaintiff's response to the objections (doc. 88).

The defendants' objections to the R & R are without merit. Our declaration with respect to the parties' agreement had no effect on the enforceability of the money judgment. Accordingly, under Rule 72(b)(3), Fed. R. Civ. P., we accept the Recommendation of the Magistrate Judge. (doc. 86). It is therefore ORDERED DENYING the defendants' motion for protective order. (doc. 82).

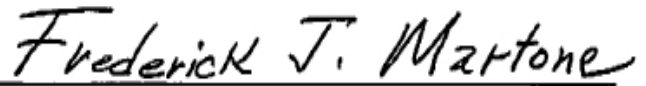
In addition, we agree with the Magistrate Judge that the motion is not substantially justified. R & R at 3. Accordingly, we grant plaintiff's request for reasonable attorneys'

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1 fees under Rule 37, Fed. R. Civ. P., (doc. 83 at 12), the amount of such fees to be  
2 determined by Judge Burns.

3 Dated this 20th day of September, 2016.

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7 Frederick J. Martone  
8 Senior United States District Judge  
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